Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 911 - 13283 - 1348 - 145	Date: 7/6/11	Time: 0028 Hours	
Location: Pioneer Boulevard & 175th Street		City or Station: Artesia	
Bureau/Station/Facility: Lakewood Station		Admin. Investigation: YES ☐ NO ☒	
Type of Force: Significant Force / Take Down / Control Holds / Freeze +P Spray / Hobble / Suspect Skeletal Fractures			
Deputy Injury : YES ☐ NO ☒	Suspect Injury YES ☒ NO ☐		
☒ Call	☐ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Alicia Ault	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E 1

Employee # [redacted]	Last Name: Brown	First Name: Richard	Middle Name: D.
Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: FOR III / Lakewood Station	Work Assignment (Unit #, Module, etc.): 135T1
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 510 / Weight: 200
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒

E 2

Employee # [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle Name: [redacted]
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: FOR III / Lakewood Station	Work Assignment (Unit #, Module, etc.): 134T4
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 505 / Weight: 180
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐

E__

Employee #	Last Name	First Name	Middle Name
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height: / Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	[redacted]	[redacted]	[redacted]	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
[redacted]	Melikidse	Michael	G.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Bishop	Brian	C.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Camarillo	Dana	L.

Sgt. Dana L. Camarillo
Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Sgt. Chad Smeltzer
Supervisor Completing Form: (**Print Name**) | [redacted] Emp #: | Copy Provided to Employee by: | Emp #:

Capt. Christy Guyovich
Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
9 1 1 - 1 3 2 8 3 - 1 3 4 8 - 1 4 5

Suspect Information

S 1

Last Name: Fregoso	First Name: Alejandro	Middle Name: Eduardo
AKA Last Name:	First Name:	Middle Name:

Sex: [X] Male [ ] Female	Race: H	Street Address: [redacted].	City: [redacted]	State & Zip Code: [redacted]

Work Phone: Unemployed	Home Phone: Unknown	Age: 56	Height: 508	D.O.B. 04/06/1955	Weight: 165	Armed? [ ]

Booking #: 2799388 Primary Charge Code: 69 PC Secondary Charge Code: 241(C) PC Criminal History [redacted]

EMT in attendance? [ ] YES [X] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [X] Rec'd Treatment At: Tri City Regional Medical Center Coroner Case #: ______ Mental History [X]

By Doctor: Dr. Carlos Dayrit Address: 21530 S. Pioneer Bl., Hawaiian Gardens, CA 90716 Phone #: 562-860-0401

Under Influence: [X] YES [ ] NO Substance: Alcohol & Psychological Medication Mental Illness [X]

Suspect Interview

Date: 07/06/11 Time: 0942 hours [ ] Audiotape: [X] Videotape: [X] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex: [ ] Male [ ] Female	Race:	Street Address:	City:	State & Zip Code:

Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? [ ]

Booking #: Primary Charge Code: Secondary Charge Code: Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ Mental Illness: [ ]

Suspect Interview

Date: Time: [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex: [ ] Male [ ] Female	Race:	Street Address:	City:	State & Zip Code:

Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? [ ]

Booking #: Primary Charge Code: Secondary Charge Code: Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ Mental Illness [ ]

Suspect Interview

Date: Time: [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
9 1 1 - 1 3 2 8 3 - 1 3 4 8 - 1 4 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Arreola	Juan	J.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Supervisor's Report on Use of Force

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Fregoso	S#1	Brown	E#1	UC/RS	NN	
Fregoso	S#1	[redacted]	E#2	UC/RS	NN	
Fregoso	S#1	Brown	E#1	PP	NN	
Fregoso	S#1	[redacted]	E#2	PP	NN	
Brown	E#1	Fregoso	S#1	PP	NN	
[redacted]	E#2	Fregoso	S#1	PP	NN	
Fregoso	S#1	[redacted]	E#2	PO	NN	
Brown	E#1	Fregoso	S#1	TD	FR/LC	NO
Brown	E#1	Fregoso	S#1	TD	FR	SH/HE
Brown	E#1	Fregoso	S#1	TD	AB	SH/KN
Brown	E#1	Fregoso	S#1	TD	SD	WR
Fregoso	S#1	[redacted]	E#2	PK	NN	
Fregoso	S#1	Brown	E#1	PK	NN	
Brown	E#1	Fregoso	S#1	OC	NN	
[redacted]	E#2	Fregoso	S#1	CT	NN	
[redacted]	E#2	Fregoso	S#1	HB	NN	

INVESTIGATIVE NARRATIVE

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

SIGNIFICANT USE OF FORCE

- TAKEDOWN
- CONTROL HOLDS
- CHEMICAL AGENT - FREEZE +P
- HOBBLE
- SKELETAL FRACTURES TO SUSPECT

UNIT: LAKEWOOD STATION

DATE / TIME OF INCIDENT: JULY 6, 2011(WEDNESDAY) / 0028 HOURS

LOCATION: PIONEER BOULEVARD & 175TH STREET ARTESIA

URN: 911-13283-1348-145

IAB #: FO2291548

SYNOPSIS

On July 6, 2011, at approximately 0028 hours, Deputies Richard Brown and [redacted] responded to a Code-3 man down call at Pioneer Boulevard and 175th Street in the city of Artesia. Deputy [redacted] arrived first and attempted to arouse Suspect Alejandro Fregoso as Deputy Brown arrived. When the Suspect Fregoso awoke, both deputies smelled the strong odor of alcohol emitting from his breath and body and noted his speech was slurred and that he could not stand unassisted. Based on the deputies observations, they determined Suspect Fregoso was intoxicated and could not care for himself. The deputies handcuffed Suspect Fregoso without incident and assisted him to his feet.

The deputies escorted Suspect Fregoso to Deputy [redacted]'s patrol car. The deputies attempted to place Suspect Fregoso in the left rear passenger seat. Suspect Fregoso placed his right foot inside the patrol car, but refused to be seated. Deputy Brown began to place pressure on Suspect Fregoso's shoulder to cause him to sit. Suspect

Fregoso responded by pushing his body upward to resist being placed in the patrol car. Suspect Fregoso began yelling and cursing at the deputies saying he did not have to comply with their instructions. Suspect Fregoso then pushed himself forward in an attempt to head butt Deputy [redacted]. Deputy [redacted] avoided the aggression by stepping to the side. Deputy Brown placed an arm around Suspect Fregoso's upper body and forced him to the ground by performing a takedown maneuver.

Deputy Brown landed on top of Suspect Fregoso as he fell face down onto the roadway surface between the patrol car and the curb. Suspect Fregoso continued to resist by kicking his legs and yelling at the deputies. Deputy Brown deployed an approximate three to five second burst of Freeze +P Oleoresin Capsicum spray, which had no effect on Suspect Fregoso. Deputy [redacted] placed a hobble on Suspect Fregoso's legs to restrain his kicking. Suspect Fregoso was restrained until the arrival of Los Angeles County Fire Department personnel, who treated and transported him to Tri-City Medical Center where he was determined to have sustained a fractured jaw, nose and clavicle.

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY

Deputy Richard Brown #[redacted]
Lakewood Station

Date of employment	10-25-06
Date assigned to patrol	[redacted]
Date completed patrol training	
Date assigned to Lakewood Station	
Prior shooting incidents	[redacted]
Prior founded force incidents	[redacted]

Deputy [redacted] #[redacted]
Lakewood Station

Date of employment	07-14-05
Date assigned to patrol	[redacted]
Date completed patrol training	
Date assigned to Lakewood Station	
Prior shooting incidents	2
Prior founded force incidents	[redacted]

SUSPECT INFORMATION

Alejandro Fregoso
Male, Hispanic, DOB: 04-06-55, Booking #2799388, 5'6", 165 lbs
[redacted]
CII #[redacted], MAIN #[redacted], FBI #[redacted]

WITNESSES

Deputy Juan J. Arreola

INJURIES

Suspect Alejandro Fregoso sustained a fractured right clavicle, a fractured nose, a fractured right jaw, a swollen right wrist and abrasions to his knees and right shoulder.

No Department personnel were injured.

PHYSICAL EVIDENCE

Digital photographs were taken, depicting the scene and injuries to Suspect Fregoso **[EXHIBIT F]**.

INVESTIGATORS OBSERVATIONS

IAB investigators did not respond to the incident location, since the scene was not preserved. Suspect Fregoso's fractures were not discovered until his X-ray results were examined several hours after the incident's occurrence. There were no investigator's observations.

WEAPONS USED BY DEPUTY PERSONNEL

Personal weapons and Freeze +P spray.

WEAPON USED BY SUSPECT FREGOSO

Personal weapons.

PROPERTY DAMAGE

None

CRIMINAL INVESTIGATORS AND CHARGES FILED

Investigators:	Detective Matthew D. Hart, Lakewood Station
Charges Filed:	Assault on a Peace Officer, 241 (C) PC and Public Intoxication, 647(f) PC.
Case Status:	On July 8, 2011, Suspect Fregoso pled nolo contendere to a charge of Assault on a Peace Officer, 241(C) PC was sentenced to thirty-six months summary probation.

LIGHTING AND WEATHER CONDITIONS

The force incident took place during the hours of darkness at approximately 0028 hours. The weather was cool, dry and clear.

WITNESS STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions. IAB investigators reviewed the reports authored by the involved deputies and determined they were consistent with their IAB Administrative Force Review interviews.

DEPUTY RICHARD D. BROWN

*Deputy Richard Brown authored a Incident Report **[EXHIBIT A]** regarding his actions and observations.*

On August 4, 2011, Deputy Richard D. Brown participated in an IAB Administrative Force Review interview at Lakewood Station. Deputy Brown said he was working uniformed patrol in the city of Hawaiian Gardens on July 6, 2011. He heard an emergent radio call dispatched for a man not breathing at the intersection of Pioneer Boulevard and 175th Street. As Deputy Brown responded to the call he heard that Deputy [redacted] had arrived and advised to cancel the fire department. As Deputy Brown arrived, he saw Deputy [redacted] attempting to wake a male, later identified as Suspect Alejandro Fregoso, laying partially on the sidewalk and grass.

Deputy Brown said as Suspect Fregoso awoke, he yelled profanities at the deputies and told them to leave him alone. Deputy Brown smelled the strong odor of alcohol

emanating from Suspect Fregoso. Suspect Fregoso also slurred his words and appeared unable to care for himself. Deputy Brown determined Suspect Fregoso would be detained for a public intoxication investigation. Deputy Brown said Deputy [redacted] handcuffed Suspect Fregoso and the two deputies assisted Suspect Fregoso to stand. The deputies escorted Suspect Fregoso to Deputy [redacted]'s patrol car, which was parked on Pioneer Boulevard facing north next to the west curb. He said Suspect Fregoso could not walk unassisted and he was to be placed in the left rear seat of Deputy [redacted]'s car. Once the left rear door was opened, Suspect Fregoso placed his right foot inside the patrol car and his left foot remained on the roadway surface. Suspect Fregoso refused to sit in the patrol car and pushed up with his body as Deputy Brown pushed downward on Suspect Fregoso's head and shoulders. Deputy Brown said Suspect Fregoso used profanity and focused his attention on Deputy [redacted] calling him a Mexican cop and telling the deputies he hated Mexican cops.

Deputy Brown said he made several attempts to push and coax Suspect Fregoso into the patrol car. Deputy Brown said he was positioned behind Suspect Fregoso and Deputy [redacted] stood to his and Suspect Fregoso's left. Suddenly, Suspect Fregoso pushed his body upward and aimed his head toward Deputy [redacted] in an attempt to strike him. Deputy Brown responded by wrapping his left arm around Suspect Fregoso's upper body and then he forced Suspect Fregoso to the ground, performing a takedown maneuver. Deputy Brown said Suspect Fregoso fell in a chest first manner and apparently struck his head in the gutter area of the roadway next to the curb. Deputy Brown's full body weight landed on top of Suspect Fregoso. Once Suspect Fregoso was on the ground Deputy Brown saw that his nose was bleeding. He said Suspect Fregoso's behavior became more combative and he began kicking his legs toward Deputy [redacted]. Deputy Brown sprayed Suspect Fregoso in the facial area with his Freeze +P Oleoresin Capsicum spray in a three to five second burst.

Deputy Brown said he saw Deputy [redacted] place a hobble restraint device on Suspect Fregoso's legs to stop him from kicking. Once Suspect Fregoso's legs were hobbled, Suspect Fregoso stopped his combative behavior. Deputy Brown placed Suspect Fregoso on his right side near the curb and awaited the arrival of fire department personnel. Deputy Brown said he was unsure at what point Deputy Arreola arrived at the incident. He said Deputy Arreola used his radio and requested the fire department and a field sergeant to respond to the scene. Deputy Brown reported his use of force to Field Sergeant [redacted] at the incident scene.

DEPUTY [redacted]

*Deputy [redacted] authored a Supplemental Report **[EXHIBIT B]** regarding his actions and observations. During Deputy [redacted]'s IAB interview, a map **[EXHIBIT D]** was used for clarification.*

On August 3, 2011, Deputy [redacted] participated in an IAB Administrative Force Review interview at Lakewood Station. Deputy [redacted] said on July 6, 2011, he responded to the intersection of Pioneer Boulevard and 175th Street regarding an emergent call of a man down while working uniformed patrol. Deputy [redacted] was the first Sheriff's Department unit to arrive at the scene. As Deputy [redacted] arrived he discovered a male adult, later identified as Suspect Alejandro Fregoso laying on a grass area on the southwest corner of the intersection.

Deputy [redacted] woke Suspect Fregoso. While doing so, Deputy [redacted] smelled the odor of alcohol emanating from Suspect Fregoso. Deputy Richard Brown arrived as he sat Suspect Fregoso up and handcuffed him related to a public intoxication violation. Additionally, a fire department engine arrived but the deputies waved the fire personnel off, since Suspect Fregoso did not need medical attention. The fire department personnel then left the scene. Deputy Brown and [redacted] assisted Suspect Fregoso to his feet and escorted Suspect Fregoso to the Deputy [redacted]'s patrol car, which was parked facing north on Pioneer Boulevard in the southbound lanes along the west curb.

Once the left rear patrol car door was opened, Suspect Fregoso was instructed to sit in the back seat of the patrol car. Suspect Fregoso's behavior became belligerent and uncooperative. Suspect Fregoso told the deputies he had relatives in law enforcement and he used profanity at the deputies. Suspect Fregoso had his right foot inside the patrol car and his left foot was on the roadway surface. Suspect Fregoso said he would not get in the patrol car. Deputy [redacted] said as he and Deputy Brown attempted to push Suspect Fregoso into the car, he would push back, so that he could not be placed inside the patrol car. Deputy [redacted] said he warned Suspect Fregoso that if he did not comply, he would be sprayed with O.C. spray.

Suspect Fregoso suddenly pushed upward using his feet and thrust himself toward Deputy [redacted]. Deputy [redacted] said it appeared Suspect Fregoso intended to use his head to strike him. Deputy [redacted] responded by leaning away from Suspect Fregoso.

Deputy Brown stood behind Suspect Fregoso placed his arm around Suspect Fregoso's upper body and forced him to the ground. Suspect Fregoso fell face first and Deputy Brown landed on top of him. Once Suspect Fregoso was on the ground he began to kick his legs in an attempt to break free from Deputy Brown. Deputy Brown sprayed a two second burst of O.C. spray at Suspect Fregoso's face. Deputy [redacted] placed himself on top of Suspect Fregoso's legs, crossed his ankles and place a hobble on his legs above his ankles. Deputy [redacted] said once Suspect Fregoso had been sprayed and hobbled, he stopped resisting.

Deputy [redacted] said he removed the hobble approximately ten minutes later as Suspect Fregoso received medical attention from fire department personnel when they responded a second time. Suspect Fregoso said his nose was broken and Deputy [redacted] saw a one and a half inch laceration on his nose.

Deputy [redacted] said Deputy Juan Arreola arrived after Suspect Fregoso was handcuffed, but did not use force against Suspect Fregoso. Deputy [redacted] said there no additional witnesses were located. Deputy [redacted] reported his actions to Field Sergeant [redacted] at the scene.

WITNESS DEPUTY JUAN J. ARREOLA

*Deputy Juan Arreola authored a Supplemental Report **[EXHIBIT C]** regarding his actions and observations.*

On August 4, 2011, Deputy Juan Arreola participated in an IAB Administrative Force Review interview at Lakewood Station. Deputy Arreola said on July 6, 2011, he was working uniformed patrol in Hawaiian Gardens when he responded to the city of Artesia to assist with a person not breathing call. As Deputy Arreola arrived at the call, he saw Suspect Alejandro Fregoso was handcuffed and Deputies Richard Brown and [redacted] were escorting him to a patrol car. Deputy Arreola said the patrol car that Suspect Fregoso was escorted to was located on Pioneer Boulevard facing north near the west side of the street.

Deputy Arreola said Deputies Brown and [redacted] attempted to place Suspect Fregoso inside the left rear door of the patrol car. As he walked toward the deputies and Suspect Fregoso, he saw Suspect Fregoso refused to enter the patrol car. Deputy Arreola was approximately twenty feet from Deputies Brown, [redacted] and Suspect Fregoso. Deputy Arreola saw Deputy Brown stood to the left of Suspect Fregoso as Suspect Fregoso lunged head first toward Deputy [redacted] Deputy [redacted] backed away from Suspect Fregoso to avoid being struck. Deputy Brown appeared to have a hold of Suspect Fregoso and then forced him to the ground.

Deputy Arreola said Suspect Fregoso landed face down on the ground. Once on the ground, Suspect Fregoso kicked his legs making it difficult to control him. Deputy Brown sprayed a burst of O.C. spray at Suspect Fregoso's face as he continued kicking his legs. Deputy [redacted] placed a hobble on Suspect Fregoso's legs, which ceased Suspect Fregoso's kicking. Deputy Arreola said he requested rescue to respond to the location to treat Suspect Fregoso. He said he did not request back-up or assistance since Suspect Fregoso was already handcuffed.

Deputy Arreola saw Suspect Fregoso had a laceration on his nose and he was not aware of any other injuries he sustained. Deputy Arreola reported his observations to Field Sergeant [redacted] at the incident scene.

SUSPECT ALEJANDRO FREGOSO

Field Sergeant Interview

On July 6, 2011, Field Sergeant [redacted] #[redacted] conducted a digitally video recorded interview **[EXHIBIT E]** with Suspect Alejandro Fregoso at Tri-City Medical Center. Suspect Fregoso said he had been drinking beer and he fell asleep at what he thought was a park. Suspect Fregoso said the deputies scared him when he was awoken. He became irritated and questioned the deputies regarding the whereabouts of his cellular phone because he believed the deputies had kicked it away.

Suspect Fregoso said he was inebriated, but remembered being shoved in the patrol car, but he could not recall if he attempted to step out of the car. Suspect Fregoso said he gave the deputies a hard time and told them, "To go where the fuck they should go". Suspect Fregoso claimed a deputy hit him in the nose with his fist. He claimed he was dazed after being hit, but was struck a second time. Suspect Fregoso could not provide any specific details regarding his encounter with the deputies.

Suspect Fregoso said he had seen a psychiatrist earlier in the day prior to his encounter with the deputies. He was diagnosed as bipolar in 1999 and last took his medication the previous day. Suspect Fregoso said he has attempted suicide and had been in mental hospitals on several occasions.

IAB Interview

On July 6, 2011, an IAB investigator interviewed Suspect Alejandro Fregoso at the Lakewood Station Jail. Suspect Fregoso said he left the Rio Hondo Mental Health Clinic at approximately 1:00 PM. He drank three 24 ounce Earthquake beers which contain twelve percent alcohol. Suspect Fregoso said he is bipolar and that he most likely mixed his Seroquel medication with the beer, causing him to black out. Suspect Fregoso said he did not take any other kind narcotics.

Suspect Fregoso said he recalled waiting for a Metro bus on Pioneer Boulevard to take him home to his aunt's house in El Sereno. He guessed he gave emergency personnel a hard time and the Sheriff's Department responded and pepper sprayed him. Suspect Fregoso said he could not recall if he had been involved in an altercation with anyone other than the deputies. He recalled falling to the ground, landing on his face and

almost knocking himself out.

Suspect Fregoso said he could not recall any details about falling or if he was handcuffed at the time. He said he recalled being pepper sprayed and that deputies may have sat on him to subdue him, so he would not be a danger to the deputies or himself.

Suspect Fregoso said he felt like his nose had been broken, he had a swollen right wrist, he felt pain and had an abrasion to his right shoulder.

ADDITIONAL INFORMATION

Photographs **[EXHIBIT H]** of Suspect Fregoso and the incident scene were printed from the disc containing digital photographs **[EXHIBIT F]** taken by Lakewood Field Sergeant [redacted] and IAB personnel.